

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - October 15, 1969  
March 18, 1970

Appeal No. 10214 5125 MacArthur Blvd. Limited Partnership,  
appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried,  
the following Order of the Board was entered at the meeting of  
March 24, 1970.

EFFECTIVE DATE OF ORDER - December 9, 1971

ORDERED:

That the appeal for permission to erect office building  
with roof structures in accordance with Section 3308 and  
variance from the requirements of Section 7515.1 to permit  
arcade above sidewalk level at 5121 MacArthur Blvd., NW., Lots  
927,893,894, Square 1419, be granted.

FINDING OF FACTS:

1. The subject property is located in a C-1 District.
2. The subject property is presently used as a single family residence.
3. At the public hearing appellant amended his appeal for a window side yard variance. (See BZA Exhibit No. 3).
4. A final order in this appeal was never issued, however, a letter notifying appellant of the Board's decision was issued March 31, 1970.
5. At the public hearing there was numerous objections registered as to the granting of this appeal.
6. The alleged traffic and parking which would be created by this building was the primary reason for objection by the neighbors.

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OPINION:

The Board concludes that the roof structures of this proposed office building will harmonize with the street frontage of the building in architectural character, material and color. The roof structures are in harmony with the purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of nearby and adjoining property.

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: \_\_\_\_\_  
GEORGE A. GROGAN  
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.